

Exhibit A

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Subject: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al Order on Motion to Amend/Correct
Date: Friday, May 12, 2023 2:29:51 PM

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U.S. District Court

Southern District of Florida

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Case Name: Garrison v. Bankman-Fried et al

Case Number: [1:22-cv-23753-KMM](#)

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Document Number: 204 (No document attached)

Docket Text:

PAPERLESS ORDER. THIS CAUSE came before the Court upon Plaintiffs' [198] Motion to File an Amended Complaint. Therein, Plaintiffs seek permission from the Court to file a Second Amended Complaint. Plaintiffs argue that justice requires that Plaintiffs be permitted to file a Second Amended Complaint, and that filing a Second Amended Complaint will not prejudice either party. Id. at 6-8.

Rule 15(a) of the Federal Rules of Civil Procedure provides that "[a] party may amend its pleading once as a matter of course within... 21 days after service of a motion under Rule 12(b), (e), or (f)." Fed. R. Civ. P. 15(a)(1)(B). Beyond that, "a party may amend its pleading only with the opposing party's written consent or the court's leave" and "[t]he court should freely give leave when justice so requires." Fed. R. Civ. P. 15(a)(2). The decision whether to grant leave to amend is committed to the sound discretion of the trial court. Best Canvas Prods. & Supplies, Inc. v. Ploof Truck Lines, Inc., 713 F.2d 618, 622 (11th Cir. 1983). "A court may consider several factors when deciding whether to grant a motion to amend, including undue delay, bad faith or dilatory motive, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, and futility of amendment." Perez v. Wells Fargo N.A., 774 F.3d 1329, 1340 (11th Cir. 2014) (alterations incorporated) (quoting Equity Lifestyle Props., Inc. v. Fla. Mowing &

Landscape Serv., Inc., 556 F.3d 1232, 1241 (11th Cir.2009)). However, "[u]nless there is a substantial reason to deny leave to amend, the discretion of the district court is not broad enough to permit denial." Dussouy v. Gulf Coast Inv. Corp., 660 F.2d 594, 598 (5th Cir. 1981).

Here, the Court finds that there has been no undue delay, bad faith, dilatory motive, repeated failure to cure deficiencies, or undue prejudice to the opposing parties. Accordingly, UPON CONSIDERATION of the Motion [198], the pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby ORDERED AND ADJUDGED that Plaintiffs Motion [198] is GRANTED. Plaintiffs shall file their Amended Complaint separately on the docket in this matter on or before May 15, 2023. Upon the filing of the Second Amended Complaint, the Court will issue a new briefing schedule. Signed by Judge K. Michael Moore on 5/12/2023. (rfr)

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